



Conservation Law Foundation

December 20, 2005

BY HAND

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

RE: NSTAR Electric / NSTAR Gas D.T.E. 05-85

Dear Ms. Cottrell:

The Conservation Law Foundation (“CLF”) would very much like to offer comments on this settlement. It appears that this settlement (specifically, paragraph 2.21) touches upon the questions around long term contracting by a provider of Basic Service that has been raised by a number of comments that CLF and allied organizations have previously filed with the Department. As noted in those comments the question of long term contracting by a Basic Service provider is critical to the financing of renewable energy projects and plays an essential but neglected role in meeting the obligations of Basic Service providers under the Renewable Portfolio Standard. We note, with appreciation, that the paragraph in question appears to leave open the possibility that the settlement is only an interim measure and that longer and different contracting arrangements are not precluded by it. We ask that the parties to this settlement and the Department clarify the settlement to make it clear that this is the case and that other interested parties, including those who have been deeply involved in these matters for some time, will be fully involved in any further developments, efforts or proceedings with regard to these contracting arrangements. It is my understanding that these concerns are shared by the Union of Concerned Scientists, MASSPIRG and others.

We have not, however, had sufficient time, resources or opportunity to review the settlement in its entirety and therefore can not at this time offer any comment upon any other portion of it.

Sincerely yours,

/s/

Seth Kaplan

cc: Service List

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